

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1166

Introduced by Assembly Member Solorio

February 18, 2011

An act to ~~amend Section 45028 of~~ *add Section 49074.5 to the Education Code, relating to* ~~teachers~~ *pupils*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1166, as amended, Solorio. ~~Teacher salaries: additional credit: years of training. Pupils: privacy of pupil records: standardized test scores and grades.~~

Existing law establishes the public school system in this state, pursuant to which school districts, county offices of education, and charter schools provide educational services to pupils in kindergarten and grades 1 to 12, inclusive, at elementary and secondary schools throughout the state. Existing law generally requires school districts, as defined to also include county offices of education and charter schools, to establish, maintain, and destroy pupil records according to regulations adopted by the State Board of Education.

This bill would prohibit school districts from including, or causing to be included, on a pupil's school identification card or any other object that a pupil is required or encouraged by school officials to carry on his or her person while present at school, any information about that pupil's scores on standardized tests or the course grades that the pupil has received. The bill would define "information" for these purposes to include the pupil's actual test scores or grades, the percentile or range into which those test scores or grades fall, or any

symbol, color, logo, or other device or emblem used to represent or convey any information about those test scores or grades.

~~Existing law requires that each teacher employed by a school district be classified on a uniform salary schedule based on years of training and years of experience, except if the employer and the exclusive bargaining representative agree otherwise, pursuant to a collective bargaining agreement.~~

~~This bill would provide that it is not a violation of these provisions of law for a school district, with the agreement of the exclusive bargaining representative of the certificated employees of the district, to grant to any certificated employee uniform additional credit for years of training if the training meets specified requirements. The bill would state that its provisions are declaratory of existing law.~~

~~The bill also would make technical, nonsubstantive changes.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 49074.5 is added to the Education Code,*
2 *to read:*

3 *49074.5. A school district shall not include, or cause to be*
4 *included, on a pupil's school identification card or any other object*
5 *that a pupil is required or encouraged by school officials to carry*
6 *on his or her person while present at school, any information about*
7 *that pupil's scores on standardized tests or the course grades that*
8 *the pupil has received. As used in this section, "information"*
9 *includes, but is not necessarily limited to, the pupil's actual test*
10 *scores or grades, the percentile or range into which those test*
11 *scores or grades fall, or any symbol, color, logo, or other device*
12 *or emblem used to represent or convey any information about*
13 *those test scores or grades.*

14 ~~SECTION 1. Section 45028 of the Education Code is amended~~
15 ~~to read:~~

16 ~~45028. (a) (1) Effective July 1, 1970, each person employed~~
17 ~~by a school district in a position requiring certification~~
18 ~~qualifications, except a person employed in a position requiring~~
19 ~~administrative or supervisory credentials, shall be classified on~~
20 ~~the salary schedule on the basis of uniform allowance for years of~~
21 ~~training and years of experience, except if a public school employer~~

1 and the exclusive representative negotiate and mutually agree to
2 a salary schedule based on criteria other than a uniform allowance
3 for years of training and years of experience pursuant to Chapter
4 10.7 (commencing with Section 3540) of the Government Code.
5 Employees shall not be placed in different classifications on the
6 schedule, nor paid different salaries, solely on the basis of the
7 respective grade levels in which such employees serve.

8 (2) The governing board of a school district shall not draw orders
9 for the salary of any teacher in violation of this section, and a
10 superintendent shall not draw any requisition for the salary of any
11 teacher in violation thereof.

12 (3) This section shall not apply to teachers of special day and
13 evening classes in elementary schools, teachers of special classes
14 for elementary pupils, teachers of special day and evening high
15 school classes and substitute teachers.

16 (b) (1) It is not a violation of the uniformity requirement of this
17 section for a school district, with the agreement of the exclusive
18 representative of certificated employees, if any, to grant any
19 employee hired after a locally specified date differential credit for
20 prior years of experience or prior units of credit for purposes of
21 initial placement on the salary schedule of the district.

22 (2) This subdivision is declaratory of existing law.

23 (c) (1) It is not a violation of subdivision (a) for a school district,
24 with the agreement of the exclusive bargaining representative of
25 certificated employees of the district, to grant any certificated
26 employee uniform additional credit for specified years of training
27 when the additional training meets any of the following conditions:

28 (A) The training is directly related to the content currently being
29 taught in the classroom by the certificated employee.

30 (B) The training is intended to improve the pedagogical
31 strategies used by the certificated employee to teach the content
32 currently being taught in the classroom.

33 (C) The training satisfies the requisite criteria for certification
34 qualifications to fill a position in a shortage area that has been
35 designated by the governing board of the school district with the
36 agreement of the exclusive bargaining representative of the
37 certificated employees of the district.

38 (2) This subdivision is declaratory of existing law.

39 (d) A public school employer and the exclusive representative
40 of credentialed teachers may jointly apply to the Superintendent

1 ~~for technical assistance and planning grant funding to facilitate~~
2 ~~the planning of a salary schedule for teachers based on criteria in~~
3 ~~addition to years of training and years of experience, as described~~
4 ~~in subdivision (a). The Superintendent may make planning grants~~
5 ~~from funds appropriated for this purpose in the annual Budget Act~~
6 ~~or other legislation.~~

7 ~~(e) To be eligible for grant funding pursuant to subdivision (d),~~
8 ~~the public school employer and the exclusive representative of~~
9 ~~credentialed teachers should consider a salary schedule designed~~
10 ~~to compensate teachers for the additional responsibilities, time,~~
11 ~~and effort required to serve in challenging school settings, and~~
12 ~~reward teachers for professional growth tied to their particular~~
13 ~~assignments.~~

14 ~~(f) Public school employers and exclusive representatives of~~
15 ~~credentialed teachers are encouraged to recognize teacher~~
16 ~~contributions to improving pupil achievement, provide incentives~~
17 ~~to teachers to accept teaching assignments in areas of highest need,~~
18 ~~and recognize relevant professional experience on the salary~~
19 ~~schedule in lieu of units and degrees or in lieu of teaching~~
20 ~~experience.~~